

Reply to Office Action dated September 22, 2005

REMARKS

Claims 1-5, 7-13, 15-19, 21-25 and 27 are pending in this application. By this Amendment, claims 1, 7, 8, 15 and 21-23 are amended and claims 6, 14, 20 and 26 are canceled without prejudice or disclaimer.

Entry of the amendment is proper under 37 C.F.R. §1.116 because the amendments do not raise any new issues requiring further search and/or consideration. More specifically, independent claim 1 is amended to include features of dependent claim 6, independent claim 8 is amended to include features of dependent claim 9, independent claim 15 is amended to include features of dependent claim 20, dependent claim 23 is amended to add a missing semicolon and independent claim 23 is amended to include features of dependent claim 26. No new issues are raised. Entry is therefore proper under 37 C.F.R. §1.116.

The Office Action rejects claims 1, 3, 5-7, 8-10, 12, 14-15, 17, 19-24 and 26-27 under 35 U.S.C. §102(e) by U.S. Patent 6,510,144 to Dommetry et al. (hereafter Dommetry). The Office Action also rejects claims 2, 4, 11, 13, 16, 18 and 25 under 35 U.S.C. §103(a) over Dommetry in view of U.S. Patent 6,247,058 to Miller et al. (hereafter Miller). The rejections are respectfully traversed.

Independent claim 1 recites a first foreign agent initially receiving the packets from the home agent and storing them in a buffer and additionally sending the stored packets to a second foreign agent included in a second foreign network if the mobile node is moved to the second foreign network, the first foreign agent being included in the first foreign network. Independent

Reply to Office Action dated September 22, 2005

claim 1 also recites that the mobile node sends a notification message to the first foreign agent if the mobile node is moved to the second foreign network.

Dommetry does not teach or suggest all the features of independent claim 1. In rejecting previous dependent claim 6, the Office Action cites Dommetry's col. 7, lines 9-40 and col. 11, lines 26-34. However, these sections of Dommetry do not discuss the mobile node sending a notification message to the first foreign agent if said mobile node is moved. That is, the cited sections do not relate to a mobile node communicating to a first foreign agent. The Office Action (on page 3) states that Dommetry discloses a first foreign agent receiving a binding update message from a new foreign agent and that the mobile node informs the new foreign agent about the location of the old foreign agent so that a binding update message is sent. The Office Action (on page 3) cites Dommetry's col. 7, lines 9-49 and col. 11, lines 26-44. However, as stated above, these sections do not teach or suggest a mobile node sending a notification message to the first foreign agent. These sections also do not teach or suggest sending a notification message. The Office Action clearly admits that Dommetry receives a binding update message from a new foreign agent, which differs from the claimed mobile node.

Even further, Dommetry does not teach or suggest a first foreign agent sending stored packets to a second foreign agent included in a second foreign network if the mobile node is moved to the second foreign network. The Office Action (on page 5) appears to reference Dommetry's Figures 2A-2B; col. 5, line 57-col. 6, line 56; col. 3, lines 4-49; col. 7, lines 9-49 and col. 11, lines 26-44. However, Dommetry does not teach or suggest the sending of stored packets from a first foreign agent to a second foreign agent. Rather, Dommetry discusses

Reply to Office Action dated September 22, 2005

retransmission of the data packet based on updated information. The retransmission of the data is from the sender of the original data. See, for example, col. 8, lines 59-62 and col. 11, lines 61-63. Dommety does not relate to data packets stored in a buffer of a first foreign agent and additionally sending the stored packets to a second foreign agent if the mobile node is moved to a second foreign network.

The Office Action (on page 2) states that updated information is stored in a first foreign agent where buffering is performed and retransmission of a data packet to a second foreign agent is done. The Office Action cites Dommety's col. 5, line 57-col. 6, line 24; col. 7, lines 28-56; and col. 7, lines 8-27. These cited sections do not disclose transmission of a data packet from a first foreign agent to a second foreign agent as alleged. Rather, data packets are retransmitted from the sender of the original data. See col. 8, lines 59-62. Dommety does disclose a receiving node moving from a first foreign agent to a second foreign agent. However, Dommety does not disclose that the first foreign agent sends stored packets to the second foreign agent. See col. 7, beginning at line 4. In such a situation, a first foreign agent may trigger retransmission (from original sender) based on a binding update message from a new (or second) foreign agent. See col. 7, lines 35-40.

Applicant respectfully submits that the cited sections of Dommety, namely col. 5, line 57-col. 6, line 24; col. 7, lines 28-56 and col. 7, lines 8-27 do not relate to a first foreign agent initially receiving the packets from the home agent and storing them in a buffer and additionally sending the stored packets to a second foreign agent included in a second foreign network. The Office Action appears to cite col. 7, lines 8-27 as showing that a receiving mobile node may

Reply to Office Action dated September 22, 2005

move from a first foreign agent to a second foreign agent. The Office Action states that buffering and sharing may be performed on any foreign agent or the mobile node itself. However, this does not suggest a first foreign agent sending the stored packets (in a buffer) to a second foreign agent including a second foreign network if the mobile node is moved to the second foreign network. Rather, Dommety discloses that the foreign agent may perform buffering and triggering for retransmission of data from the sending node. There is no suggestion of a first foreign agent sending stored packets to a second foreign agent included in a second foreign network as claimed.

For at least the reasons set forth above, Dommety does not teach or suggest all the claimed features. Thus, independent claim 1 defines patentable subject matter.

Independent claim 8 defines patentable subject matter for at least similar reasons. That is, independent claim 8 recites sending a notification message from the mobile node to the first foreign agent if the mobile node moves to a second foreign network having a second foreign agent, and sending the packets stored in the first buffer to the second foreign agent and storing them in a second buffer if the first foreign agent receives the notification message. Dommety does not teach or suggest these features for at least the reasons set forth above.

Independent claim 15 also defines patentable subject matter for at least similar reasons. That is, independent claim 15 recites sending a notification message from the mobile node to a first foreign agent if the mobile node moves from a first foreign network to a second foreign network, and determining if the determined mobile node is moved to a second foreign network having a second foreign agent and transmitting the packets stored in the buffer to the second

Reply to Office Action dated September 22, 2005

foreign agent if the mobile node is moved to the second foreign network. Dommetry does not teach or suggest these features for at least the reasons set forth above.

Additionally, independent claim 23 defines patentable subject matter for at least similar reasons. That is, independent claim 23 recites sending a notification message from a mobile node to the first foreign agent when a mobile node moves from the first foreign network to a second foreign network and sending the packets in the first buffer to a second foreign agent associated with the second foreign network. Dommetry does not teach or suggest these features for at least the reasons set forth above. Miller does not teach or suggest the missing features of independent claim 23.

For at least the reasons set forth above, each of independent claims 1, 8, 15 and 23 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims also recite features that further and independently distinguish over the applied references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-5, 7-13, 15-19, 21-25 and 27 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Serial No. **09/987,098**

Docket No. **K-0342**

Reply to Office Action dated September 22, 2005

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



David C. Oren
Registration No. 38,694

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DYK:DCO/kah

Date: December 22, 2005

Please direct all correspondence to Customer Number 34610